

December 6, 2024

VIA ECF

Hon. Cheryl L. Pollak
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East, Room 1230
Brooklyn, NY 11201

**Re: American Transit Insurance Company v. Pierre, 1:24-cv-00360-RPK-CLP --
Discovery Status Reports**

Dear Magistrate Judge Pollak:

We are counsel to Plaintiff American Transit Insurance Company (“American Transit”) in the above-referenced action and write in response to the status report letter that Defendants William A. Weiner, D.O. (“Weiner”) and Nexray Medical Imaging, P.C. d/b/a Soul Radiology Medical Imaging (“Nexray”) (ECF No. 103) filed in response to American Transit’s discovery status report letter, which were both filed earlier today. (ECF No. 101.) The primary thrust of defense counsel’s letter is that Weiner/Nexray in fact timely served interrogatory responses on November 19, 2024, when the American Transit report states they did not.

Following receipt of defense counsel’s letter, we reviewed our records and confirmed that the Weiner/Nexray interrogatory responses were received by email on November 19, 2024. We have accordingly revised American Transit’s status report to acknowledge receipt of the interrogatory responses by email. The revised letter report will be filed following this letter.

We apologize to the Court and defense counsel for this oversight.

Respectfully submitted,

/s/ James W. Perkins

James W. Perkins

cc: All Counsel of Record (via ECF)